

<b>Notice of Allowability</b>	Application No. <b>08/888,425</b>	Applicant(s) <b>Barrett</b>
	Examiner <b>Montgomery, C. Keith</b>	Group Art Unit <b>3641</b>

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to the amendment filed 12/5/97

The allowed claim(s) is/are 1-5, 7-9, 11-17, and 19

The drawings filed on \_\_\_\_\_ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been  
 received.  
 received in Application No. (Series Code/Serial Number) \_\_\_\_\_  
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.  
 including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 3.  
 including changes required by the proposed drawing correction filed on Dec 5, 1997, which has been approved by the examiner.  
 including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

Notice of References Cited, PTO-892  
 Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  
 Notice of Draftsperson's Patent Drawing Review, PTO-948  
 Notice of Informal Patent Application, PTO-152  
 Interview Summary, PTO-413  
 Examiner's Amendment/Comment  
 Examiner's Comment Regarding Requirement for Deposit of Biological Material  
 Examiner's Statement of Reasons for Allowance

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 GROUP 2200

Serial Number: 08/888,425

Art Unit: 2201

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#### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John G. Mills on 1/20/98.

2. The application has been amended as follows:

The following line has been inserted after line 9 of claim 13:

...illuminating the target with a laser; etc.

In line 2 of claim 4, "including" has been changed to "includes."

In line 2 of claim 4, "and" has been inserted after "means."

In line 2 of claim 12, "standard" and "M-2" have been deleted.

3. The following is an examiner's statement of reasons for allowance: Lawhorn discloses a spin-stabilized small caliber projectile with a fluid-divert guidance system, and various documents cited show semi-active guidance systems in artillery projectiles and rockets. However, none of the cited art shows a fin-stablized bullet with semi-active guidance, and which uses a deployable flap system for course correction. A definition of "bullet" is included with this action, which

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coincides with the definition in applicant's specification, where the NATO .50 caliber cartridge is listed as the largest bullet in standard use.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Keith Montgomery whose telephone number is (703) 306-4164.

C KCM  
C. Keith Montgomery

January 20, 1998

*Charles T. Jordan*  
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